




IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAZZ PHARMACEUTICALS, INC.,)	PUBLIC VERSION
)	
Plaintiff,)	
)	
v.)	C.A. No. 21-691 (GBW)
)	
AVADEL CNS PHARMACEUTICALS LLC,)	
)	
Defendant.)	

JAZZ PHARMACEUTICALS, INC. and)	
JAZZ PHARMACEUTICALS IRELAND)	
LIMITED,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-1138 (GBW)
)	
AVADEL CNS PHARMACEUTICALS LLC,)	
)	
Defendant.)	

JAZZ PHARMACEUTICALS, INC. and)	
JAZZ PHARMACEUTICALS IRELAND)	
LIMITED,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-1594 (GBW)
)	
AVADEL CNS PHARMACEUTICALS LLC,)	
)	
Defendant.)	

JOINT SUPPLEMENTAL CLAIM CONSTRUCTION APPENDIX

Jazz's Exhibits

EXHIBIT	DESCRIPTION
Exhibit 1	U.S. Patent No. 10,959,956
Exhibit 2	U.S. Patent No. 10,966,931
Exhibit 3	U.S. Patent No. 11,077,079
Exhibit 4	September 21, 2021 Notice of Allowability in U.S. Patent Application No. 17/012,283
Exhibit 5	January 6, 2021 Notice of Allowability in U.S. Patent Application No. 17/012,831
Exhibit 6	U.S. Patent Application Publication 2012/0076865
Exhibit 7	May 20, 2021 Amendment/Request for Reconsideration-After Non-Final Rejection in U.S. Patent Application No. 17/118,041
Exhibit 8	Dictionary of Science and Technology, 2 nd Ed. (2007), definitions of "induce" and "promote"
Exhibit 9	Oxford Advanced Learner's Dictionary, 9 th Ed. (2015), definitions of "induce" and "promote"
Exhibit 10	Longman Dictionary of American English, 5 th Ed. (2014), definitions of "induce" and "promote"
Exhibit 11	June 30, 2023 letter from Alex M. Grabowski to Gabriel Brier
Exhibit 12	May 30, 2023 letter from Audra Sawyer to Gabriel Brier
Exhibit 13	Excerpts from the Reply Expert Report of William Charman
Exhibit 14	Excerpts from the Second Supplemental Opening Expert Report of Robert S. Langer
Exhibit 15	Excerpts from the Second Supplemental Opening Expert Report of Alexander M. Klibanov, Ph.D.

Avadel's Exhibits

EXHIBIT	DESCRIPTION
Exhibit A	U.S. Patent No. 10,959,956
Exhibit B	U.S. Patent No. 10,966,931
Exhibit C	Excerpts of Plaintiff's Final Infringement Contentions
Exhibit D	'956 patent File History, December 18, 2020 Notice of Allowance
Exhibit E	'931 patent File History, January 6, 2021 Notice of Allowance
Exhibit F	U.S. Patent No. 11,077,079
Exhibit G	'079 patent File History, May 20, 2021 Remarks
Exhibit H	Excerpt of Scharf Opening Report on Invalidity

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jeremy A. Tigan

Jack B. Blumenfeld (#1014)
Jeremy A. Tigan (#5239)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
jtigan@morrisnichols.com

OF COUNSEL:

F. Dominic Cerrito
Eric C. Stops
Evangeline Shih
Andrew S. Chalson
Gabriel P. Brier
Frank C. Calvosa
Nicholas A. LoCastro
Krista M. Rycroft
Quentin Jorgensen
Catherine T. Mattes
Abigail DeMasi
Raymond N. Nimrod
Ellyde R. Thompson
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000

Alexandra Kim
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
111 Huntington Ave., Suite 520
Boston, MA 02199
(617) 712-7100

Christopher D. Porter
Elizabeth M. Devaney
QUINN EMANUEL URQUHART
& SULLIVAN, LLP

McCARTER & ENGLISH LLP

/s/ Daniel M. Silver

Daniel M. Silver (#4758)
Alexandra M. Joyce (#6423)
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, Delaware 19801
(302) 984-6300
dsilver@mccarter.com
ajoyce@mccarter.com

OF COUNSEL:

Kenneth G. Schuler
Marc N. Zubick
Alex Grabowski
Sarah W. Wang
LATHAM & WATKINS LLP
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
(312) 876-7700
kenneth.schuler@lw.com
marc.zubick@lw.com
alex.grabowski@lw.com
sarah.wang@lw.com

Herman Yue
LATHAM & WATKINS LLP
1271 Avenue of the Americas
New York, NY 10020
(212) 906-1200
Herman.Yue@lw.com

Audra M. Sawyer
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
(202) 637-2200
Audra.sawyer@lw.com

Daralyn J. Durie
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105

Pennzoil Place
711 Louisiana Street, Suite 500
Houston, TX 77002
(713) 221-7000

*Attorneys for Plaintiffs
Jazz Pharmaceuticals, Inc. and
Jazz Pharmaceuticals Ireland Limited*

October 10, 2023

(415) 568-6034
ddurie@mofo.com

Kira A. Davis
Katherine E. McNutt
MORRISON & FOERSTER LLP
707 Wilshire Boulevard
Los Angeles, CA 90017
(213) 892-5200
kiradavis@mofo.com
kmcnutt@mofo.com

*Counsel for Defendant
Avadel CNS Pharmaceuticals LLC*